

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 RAFAEL MARIN-MACIAS,

14 Defendant.

CASE NO. CR15-0202-JCC

ORDER

15 This matter comes before the Court on Defendant's motion for early termination of  
16 supervised release (Dkt. No. 395). Having thoroughly considered the request, the Government's  
17 response, and the balance of the record, the Court hereby DENIES the motion for the reasons  
18 explained herein.

19 In 2016, Defendant pleaded guilty to conspiracy to distribute controlled substances and  
20 conspiracy to commit money laundering. (Dkt. Nos. 131, 133, 172.) The Court imposed 84  
21 months of imprisonment followed by three years of supervised release. (Dkt. Nos. 222, 223.) In  
22 June 2020, Defendant was released from prison and began serving his term of supervised release.  
23 (Dkt. No. 395-1 at 2.) Defendant argues the Court should terminate supervision early based on  
24 his "exceptional[]" performance, namely, maintaining full-time employment, completion of the  
25 RDAP program while in prison, and U.S. Probation and Pretrial Services' report that Defendant  
26 "'is respectful, engaged, and appears invested in pro-social and law-abiding lifestyle choices.'"'

1 (Id. at 3 (quoting Dkt. No. 393 at 1).) Defendant also notes Probation does not oppose the  
 2 request. (See Dkt. No. 395-1 at 2.) The Government opposes, citing Defendant's conduct in this  
 3 case, as well as in past narcotics convictions. (Dkt. No. 396 at 3–5.)

4 The Court may terminate a term of supervised release at any time after the expiration of  
 5 one year of supervised release “if it is satisfied that such action is warranted by the conduct of  
 6 the defendant released and the interest of justice.” 18 U.S.C. §§ 3564(c), 3583(e). In deciding  
 7 whether early termination is appropriate, the Court must consider several factors, including the  
 8 nature and circumstances of the offense, Defendant's history and characteristics, the need to  
 9 deter criminal conduct, the need to protect the public from further crimes, and the need to avoid  
 10 disparity among similarly situated defendants. *See* 18 U.S.C. § 3583(e) (citing to factors in 18  
 11 U.S.C. §3553(a)); *see also United States v. Emmett*, 749 F.3d 817, 820 (9th Cir. 2014). Early  
 12 termination of supervised release should be granted only “[o]ccasionally” when “changed  
 13 circumstances—for instance, exceptionally good behavior by the defendant or a downward turn  
 14 in the defendant's ability to pay a fine or restitution imposed as conditions of release—will  
 15 render a previously imposed term or condition of release either too harsh or inappropriately  
 16 tailored to serve the general punishment goals of section 3553(a).” *United States v. Lussier*, 104  
 17 F.3d 32, 36 (2d Cir. 1997); *see also United States v. Miller*, 205 F.3d 1098, 1101 (9th Cir. 2000).

18 After consideration of the factors required by 18 U.S.C. section 3583(e), the Court finds  
 19 that early termination is not warranted. Defendant's compliance with the conditions of  
 20 supervision, including regular employment, are expected milestones that do not render continued  
 21 supervision no longer appropriate. *See, e.g., United States v. Grossi*, 2011 WL 704364, slip op. at  
 22 2 (N.D. Cal. 2011) (finding that “[m]ere compliance with the terms of supervised release is what  
 23 is expected, and without more, is insufficient to justify early termination”). Although the Court  
 24 commends Defendant for his compliant behavior while on supervised release, it cannot find that  
 25 this behavior warrants early termination of further supervision. Defendant's remaining term of  
 26 supervision will continue to provide a legitimate disincentive to resume any criminal behavior

1 and remains suitably tailored to the offense conduct.

2 For the foregoing reasons, the Court DENIES Defendant's motion for early termination  
3 (Dkt. No. 395).

4 DATED this 13th day of August 2021.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE